

# STATE OF COLORADO

John W. Hickenlooper, Governor  
Karin McGowan  
Interim Executive Director

Dedicated to protecting and improving the health and environment of the people of Colorado

4300 Cherry Creek Dr. S.      Laboratory Services Division  
Denver, Colorado 80246-1530      8100 Lowry Blvd.  
Phone (303) 692-2000      Denver, Colorado 80230-6928  
Located in Glendale, Colorado      (303) 692-3090  
<http://www.cdphe.state.co.us>



Colorado Department  
of Public Health  
and Environment

**HB 1294 Stakeholder Forum**  
**AGENDA**  
**July 16, 2013, 2-4 pm**  
**4300 Cherry Creek Drive South, Bldg. C, Room C1A, Denver, CO**

Call-in Number: 712-432-3100, Participant Code: 685125

**Desired Outcomes:**

- Finalize Forum mission and structure
- Determine next steps

**Group Working Agreements:**

- Finish thoughts without interruption
- Let presenters finish prior to questions
- Identify self prior to speaking
- Avoid use of acronyms
- Be respectful (tone & content)

**Agenda Items:**

- I. Welcome & Introductions (John Barry)
- II. Review of Working Agreements (John Barry)
- III. Mission of the Stakeholder Forum - continued (John Barry)
- IV. How This Forum Will Function (John Barry)
- V. Next Steps (John Barry)
  - Stakeholder Forum #3 is currently scheduled for Wednesday, August 28, 2-3:30 pm at CDPHE – Sabin-Cleere Room.
- VI. Public Comments
- VII. Meeting Evaluation
- VIII. Adjourn

Reasonable accommodations will be provided upon request for persons with disabilities. Please notify Gillian Franklin at (303) 692-2925 by July 15 if you need special accommodation in order to participate.

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## **HB 12-1294 Stakeholder Forum July 16, 2013, 2-4 pm 4300 Cherry Creek Drive South, Bldg. C, Room C1A, Denver, CO Meeting Notes**

Facilitator: John Barry (Department of Health Care Policy and Financing)

### Attendees:

<b>Name</b>	<b>Organization</b>
Agler, Vickie	Aponte-Busam
Barnert, Matthew	Innovations
Biehle, Ryan (via phone)	Colorado Consumer Health Initiative
Bonino, Doug	Developmental Pathways
Caruso, Ellen	Home Care Association of Colorado
Conroy, Deann	Colorado Department of Public Health and Environment
Dixon-Jones, Lorraine	Colorado Department of Public Health and Environment
Dyson, Kent	Developmental Pathways
Farrer, Julie	Colorado Developmental Disabilities Council
Franklin, Gillian	Colorado Department of Public Health and Environment
Herzberg, Brock	First Choice Emergency Rooms, CapitolFocus LLC
Hill, Tom	Colorado Hospital Association
Hitt, Shelley	State LTC Ombudsman
Hughes, Judy	Colorado Department of Public Health and Environment
Komp, Natalie	Colorado Health Care Association
Kuykendall, Randy	Colorado Department of Public Health and Environment
Mendez, Fofi	Mendez Consulting Inc., LeadingAge Colorado
Meredith, Carol	Arc of Arapahoe & Douglas Counties
Miles, Arlene	Colorado Health Care Association
Morrow, Heather	Colorado Cross-Disability Coalition
Murray, Betsy	Home Care Association of Colorado
Neubaum, Jim	Colorado Department of Public Health and Environment
Schoder, Laurie	Colorado Department of Public Health and Environment
Schupbach, Jeremy	Colorado Alliance
Torres-Vega, Jose	Colorado Cross-Disability Coalition
Ziegenhagen, Jed (via phone)	Department of Health Care Policy and Financing

### Working Agreements

- Allow speakers to finish thoughts without interruption
- Let presenters finish prior to questions
- Identify self prior to speaking
- Avoid over-use of acronyms
- Be respectful (tone and content)

### Mission Statement

To create opportunities for collaboration, communication, education, dialogue and transparency between and among the provider, regulatory and client communities for the purpose of:

- a. Exchanging information.
- b. Sharing and resolving issues and problems.
- c. Providing guidance regarding regulations by:
  - being a sounding board for regulatory proposals that affect the provider community,
  - identifying and eliminating duplicative regulation,
  - working to establish a regulatory balance that provides positive outcomes for providers and clients.
- d. Ensuring CDPHE takes into consideration the concerns and issues of interest to the forum members and other attendees regarding the development and implementation of rules and other matters that affect all health care facilities licensed by the department.

### **Excerpt from HOUSE BILL 12-1294:**

**25-3-113. Health Care Facility Stakeholder Forum - Creation - Membership - Duties.** (1) There is hereby created in the Department of Public Health and Environment the health care facility stakeholder forum, referred to in this section as the "stakeholder forum". The stakeholder forum must consist of representatives from various types of provider facilities licensed by the department, consumers, consumer advocates, ombudsmen, and other interested parties. The department shall meet at least four times each year with the stakeholder forum to discuss and take into consideration the concerns and issues of interest to the forum members and other attendees regarding the development and implementation of rules and other matters that affect all health care facilities licensed by the department.

(2) The members of the stakeholder forum serve on a voluntary basis without compensation and are responsible for noticing, staffing, recording, and reporting the notes from the stakeholder forum meetings. The department shall consider the attendance of its representatives at meetings with the stakeholder forum to be within the normal course of business, with no additional appropriation to or resources from the department required.

(3) The stakeholder forum and the department shall work to coordinate with, and shall not duplicate the work being done by, established or statutorily authorized advisory committees or working groups on issues related to the development and implementation of rules.

(4) For purposes of section 24-4-103 (2), C.R.S., as amended by House Bill 12-1008, enacted in 2012, the department may use the stakeholder forum described in this section, when appropriate, to serve as the representative group for the Department of Public Health and Environment.

### How This Forum Will Function

- **Ownership:** The stakeholders and CDPHE share the ownership of this forum.
- **CDPHE and other state department attendance:**
  - Some stakeholders like the representation from the different areas of CDPHE and agencies (i.e. DHS, HCPF, DORA, Dept of Labor, etc.). It can be frustrating when different departments say different things. This forum can help put everyone on the same page.
  - Other stakeholders prefer this group to be smaller and have representatives relay the message back to their constituents. Forum might become non-productive if too many people or agencies are included.
  - The original intent of this forum was a place for providers to share good ideas with other providers and improve provider side issues. Also, the intent was a forum for providers to bring problems to CDPHE, to avoid duplication and contradictory regulation, and to make a more efficient regulatory system to measure and promote quality care. The intent of the statute was for providers to bring issues to CDPHE and not other state agencies.

- The statute states, “The stakeholder forum must consist of representatives from various types of provider facilities licensed by the department, consumers, consumer advocates, ombudsmen, and other interested parties.”
- **Membership:** There will be no membership. Membership will be driven by the agenda items and interest in the topic.
- **Facilitation of meetings:** CDPHE will supply facilitation.
- **Staffing of meetings:** CDPHE will be responsible for noticing, staffing, recording, and reporting the notes from the stakeholder forum meetings.
- **Frequency of meetings:** Four times (quarterly) per year after the meeting in August. There might be additional meetings if the agenda items require it. The next meeting after August will be in November.
- **Length of meetings:** 1.5 - 2 hours
- **Communication:**
  - CDPHE will add the stakeholder forum mission, agendas, and meeting notes to the HB 12-1294 Implementation webpage at [www.healthfacilities.info](http://www.healthfacilities.info).
  - People can also sign up to be on the distribution list at [www.healthfacilities.info](http://www.healthfacilities.info), which will be public information. CDPHE will be the keeper of the distribution list.
- **Agenda:**
  - Request for agenda items will be sent prior to the next meeting.
  - If there are too many agenda items, then the group will decide what is important to discuss that meeting.
  - Meeting notes will be sent within two weeks of the meeting.
  - Agendas will include directions to the meeting room, teleconferencing information, a link to the website, and working agreements.
  - Standing Agenda Items
    - Finalize the agenda
    - HB 12-1294 Progress Update/Matrix
    - Proposed rules changes/ Notice of Regulations
    - Training needs & opportunities
    - Announcements
    - Reports from other advisory groups
    - Public comment/ Open Forum
    - Select agenda items for the next meeting
    - Meeting evaluation
  - August Agenda Items
    - Performance incentives & deeming presentation
    - Flu Vaccination Report
  - November Agenda Items
    - Extended Surveys

#### Reasons for HB 12-1294 and Past Challenges

- Lack of communication to provider community
- Lack of communication internally at CDPHE
- No partnering
- Inconsistency in enforcement and interpretation of regulations among surveyors
- Risk based surveys could help CDPHE use their resources more efficiently.

### HB 12-1268 Update

- Randy Kuykendall gave the group an update on the transition of the Life Safety Code section of the Health Facilities and Emergency Medical Services Division (HFEMSD) within the Colorado Department of Public Health and Environment (CDPHE) to the Division of Fire Prevention and Control (DFPC) within the Department of Public Safety effective July 1, 2013.
- DFPC has emergency rules in place for 120 days.
- LSC staff is still currently working in the office space at CDPHE for 4-6 more months.
- For more information, please see the DFPC website at <http://www.dfs.state.co.us/HealthFacility.htm>

### Next Steps

- Stakeholder Forum #3 will be on **August 28, 2013, 2-3:30pm at CDPHE – Sabin-Cleere Room**
- Everyone attending this stakeholder forum should probably read HB 12-1294.
- CDPHE has a HB 12-1294 implementation web page at [www.healthfacilities.info](http://www.healthfacilities.info) which could be used as a way for CDPHE to communicate with the stakeholder forum. This webpage includes a copy of the law, the current implementation status, and sign-up for the distribution list. CDPHE will add this group's mission statement, agendas, and meeting notes.
- Stakeholders can subscribe to the CDPHE Health Facilities blog at <http://healthfacilitiescommunity.blogspot.com/> for regulation updates and messages sent to providers through the Health Facilities Portal.
- The meeting notes from this meeting will be distributed by July 26, 2013 (1.5 weeks after meeting).
- The agenda for the meeting in August and a range of dates for the quarterly meetings will be distributed by August 14, 2013 (2 weeks before the meeting).

### Meeting Evaluation

- Stakeholders would like directions/instructions for the meeting rooms.
- 1.5 hours for this meeting is long enough.
- The group could use red, yellow, and green cards as an efficient way to take the groups pulse and generate discussions.